

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:
BLOOD REAGENTS ANTITRUST
LITIGATION**

MDL NO. 2081

MASTER FILE NO. 09-MD-2081

**THIS DOCUMENT RELATES TO:
ALL ACTIONS**

CASE MANAGEMENT ORDER NO. 4

AND NOW, this 26th day of January, 2016, the Court having directed the parties to submit a proposed schedule for further proceedings, and the Court having considered the respective submissions of the parties, following a telephone conference with the parties, through counsel, on January 25, 2016, **IT IS ORDERED** that the case shall proceed on the following schedule:

1. Discovery
 - a. Plaintiff shall supplement their responses to Interrogatory No. 1-3 of Defendants' First Joint Interrogatories and their response to Ortho-Clinical Diagnostics, Inc.'s First Set of Requests for Admissions and Accompanying Interrogatories and Requests for Production of Documents on or before February 5, 2016.
2. Trial Plan
 - a. The parties shall meet and confer to discuss a trial plan. Such plan shall include, but not be limited to, an identification of the common issues to be presented at trial on the class claims and a proposed procedure for an adjudication of any individualized issues relating to damages and to the claims of fraudulent concealment. The parties shall jointly submit, to the extent there is an agreement

between them, a proposed trial plan on or before February 12, 2016. Any areas of disagreement between the parties on the trial plan shall be highlighted for the Court. If deemed necessary by the Court, a revised trial plan shall be submitted by the parties after the Court rules on dispositive motions and *Daubert* motions.

3. Expert Discovery

- a. Plaintiffs previously served their expert report on all issues other than class certification on July 27, 2012, and a corrected version of that report on August 14, 2012. Plaintiffs' expert reports on all issues other than class certification shall be served on or before May 16, 2012.
- b. Defendant deposed plaintiffs' expert regarding that report on October 17, 2012, and served its expert reports on all issues other than class certification on October 26, 2012.
- c. Plaintiffs shall depose defendant's experts and serve their reply expert reports on all issues other than class certification on or before March 25, 2016.
- d. Defendant shall serve its supplemental expert reports on all issues other than class certification on or before April 22, 2016.
- e. Expert discovery on all issues other than class certification, including all depositions of said experts, shall close on May 6, 2016.

4. Dispositive Motions

- a. All dispositive motions and any *Daubert* motions shall be filed and served on or before July 15, 2016.
- b. Responses shall be filed and served on or before September 16, 2016.
- c. Reply briefs shall be filed and served on or before October 14, 2016.

5. Status Conference

A telephone status conference with the parties, through counsel, is **SCHEDULED** for Thursday, May 12, 2016, at 4:00 PM. Liaison counsel for plaintiffs, Jeffrey Corrigan, Esquire, shall initiate the telephone conference. Any other attorneys interested in participating in the telephone status conference may do so. The Court will address during the status conference any issues relating to expert witness discovery, the question of settlement, and any other issues presented by the parties in a proposed agenda submitted to the Court no less than three (3) business days before the conference. The May 12, 2016 telephone conference will be recorded. Further telephone status conferences will be scheduled during the May 12, 2016 telephone conference.

IT IS FURTHER ORDERED that, excepting only as set forth above, Case Management Orders Nos. 1, 2 and 3, as amended, **CONTINUE IN EFFECT**.

BY THE COURT:



DuBOIS, JAN E., J.